



## AFFIDAVIT OF SUCCESSOR

*The "Affidavit of Successor" may be used if the decedent left no will and the estate was not probated. Living heirs have certain rights according to Washington State laws of Descent and Distribution. One heir may claim and distribute to other heirs with their written approval.*

The undersigned, being first duly sworn, on oath deposes and says:

1. That the name and address of the undersigned successor, is as follows:

Decedent Name: \_\_\_\_\_

Successor Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

2. That the undersigned claimant is a "successor", as defined in RCW 11.62.005.
3. That the decedent was, at the time of his or her death, a resident of the State of Washington. *Attached to this affidavit is a photocopy of the decedent's death certificate.*
4. That the value of the entire estate of the decedent subject to probate, wherever located, (not including any surviving spouse's community property interest in any assets which are subject to probate in the decedent's estate), less liens and encumbrances, does not exceed \$60,000.00.
5. That forty days have elapsed since the death of the decedent.
6. That no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.
7. That all debts of the decedent including funeral and burial expenses have been paid or provided for.
8. That the undersigned successor claims the following personal property, which property is subject to probate:

<i>Company Reporting Property</i>	<i>Property/Amount Claimed</i>

9. That the undersigned successor has given written notice, either by personal service or by mail, identifying his or her claim, and describing the property claimed, to all other successors of the decedent, and that at least ten days have elapsed since the service or mail of such notice.
10. That the undersigned successor is: *(One box **MUST** be checked for affidavit to be valid)*

Personally entitled to full payment or delivery of the property above described as sole surviving heir or,  
Accepting full payment or delivery of the property above described on behalf and with written authority of all other successors who have an interest therein.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_(yr.) \_\_\_\_\_  
(Successor Signature)

Subscribed and Sworn (or affirmed) to by:

\_\_\_\_\_ (Successor) before me this

\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_(yr.) \_\_\_\_\_  
(Notary Signature)

(Seal)

Notary in and for the State of \_\_\_\_\_

My commission expires \_\_\_\_\_

Residing at \_\_\_\_\_

## SHOULD I COMPLETE THE AFFIDAVIT OF SUCCESSOR?

### No:

- The estate is currently in probate (please send a photocopy of certified court papers showing your right to claim on behalf of the estate.)
- The decedent left no will and you are not a blood relative as defined in RCW 11.04.015.
- You were the executor, personal representative, or administrator of the estate, but are not named as an heir in the will.
- The decedent's will was probated but the estate is no longer open. (Provide a photocopy of the certified will.)

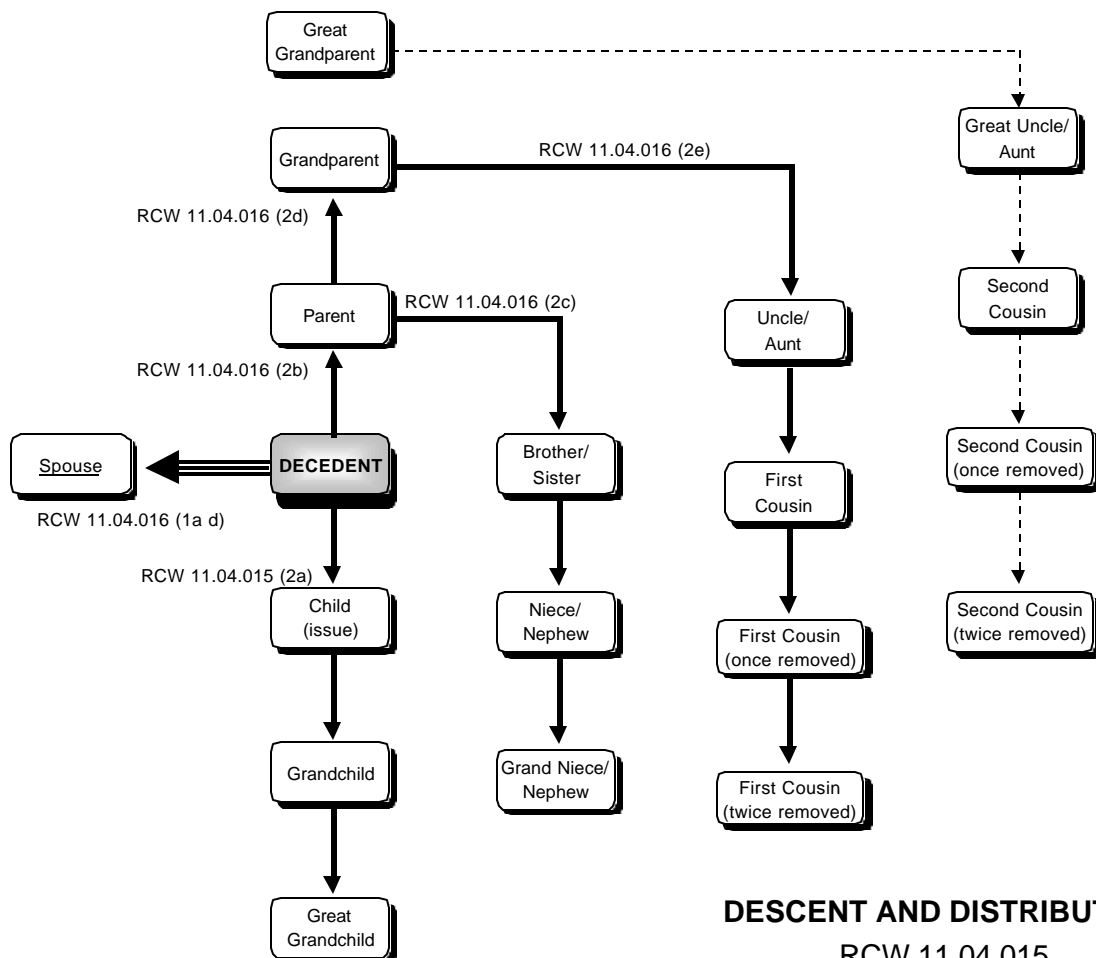
### Yes:

*If either of the following statements applies, then complete the affidavit and include a copy of the death certificate(s), a copy of the will, and the other required proof as stated on the front of the claim form*

- You were named as an heir to the estate in the will and the estate was not probated. (Provide a photocopy of the will)
- The decedent left no will and you are an heir as defined in the laws of descent and distribution (RCW 11.04.015.) See diagram below.

### Descent and Distribution:

To read the diagram, start in the block labeled *Decedent*. Follow the arrows noting that the appropriate path to follow is labeled with the RCW and a subparagraph number and letter. For example: property automatically passes to the surviving spouse. If the decedent was not married at the time they passed away, move to 2a (child.) If there were no children, move to 2b (parent.) If you have any questions as to whether you should file a claim, please contact our office at (800) 435-2429 in Washington, or (360) 586-2736.



### DESCENT AND DISTRIBUTION

RCW 11.04.015

To inquire about the availability of this form in an alternate format for the visually impaired, please call (360) 753-3217. Teletype (TTY) users please call (800) 451-7985. You may also access information on our Internet home page at <http://dor.wa.gov>.